

REMARKS

This proposed Amendment is submitted in response to the Office Action dated October 10, 2006. Claims 1-16 and 42-45 remain cancelled by restriction election. Claims 17-18, 22, 27, -28, 30-31, 35, 37, and 39-40 have been amended herein. Claims 19, 23, 25-26, 32-33, 36, and 38 have been cancelled and claims 46-47 have been added herein. Claims 17-18, 20-22, 24, 27-31, 34-35, 37, 39-41, and 46-47 are currently pending.

OBJECTIONS TO THE DRAWINGS

The drawings have been objected to as failing to comply with 37 CFR 1.84(p)(4) because reference number "16" has been used to designate both a servo controller and a response prioritization module. FIG. 1 has been amended to remove the reference numeral designation for the "servo controller," thus removing the confusion between references to the servo controller (no explicit references in the text) and prioritization module 16.

Furthermore, FIGS. 2, 7, 8a and 8b have been objected to as including multiple reference numeral designations not mentioned in the text of the specification. FIGS. 2, 7, 8a and 8b have been amended herein to remove the references noted by the Examiner as not being referenced in the text. Applicants appreciate the Examiner's diligence in carefully reviewing and noting such discrepancies thereby assisting Applicants in providing a quality application.

CLAIM REJECTIONS UNDER 35 U.S.C. §§ 102 and 103

Claims 17 and 30 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,574,742, issued to Jamroga et al. (hereinafter *Jamroga*). Dependent claims 18-21 and 31-34 have been rejected under 35 U.S.C. § 103(a) as unpatentable over *Jamroga* in view of U.S. Pub. Pat. App. No. 2004/0165791, filed by Kaltanji. Claims 22, 24-26, and 35-38 have been rejected under 35 U.S.C. § 103(a) as unpatentable over *Jamroga*, in view of U.S. Pat. No. 5,987,510, issued to Imai et al. Finally, claims 23, 28-29, and 40-41 have been rejected under 35 U.S.C. § 103(a) as unpatentable over *Jamroga*, in view of *Imai*, and in further view of U.S. Pat. No. 6,021,433, issued to Payne et al.

In view of the grounds of rejection, claims 17 and 30 have been amended to more clearly characterize and distinguish Applicants' proposed invention from the disclosure of *Jamroga*. Specifically, claim 17 (and similarly for claim 30) has been amended to recite a method for managing specimen data among specimen collection facilities including the additional steps of:

“storing specimen handling data that specifies specimen handling capabilities of multiple specimen collection facilities,” “determining a correlation between the specimen image data and specimen handling capabilities of networked specimen collection facilities,” and “selecting one or more of the networked specimen collection facilities to send the specimen report in accordance with said determined correlation.”

As noted by Examiner, *Jamroga* appears to disclose a system/method for storing and accessing digital medical images. As depicted and explained with reference to **FIGS. 2, 7, and 8**, *Jamroga*'s system includes central database management features for receiving and storing medical data and associated delivery instructions. As explained at col. 8, lines 60-64, the delivery instructions may include participant (i.e. sender) identifiers. However, Applicants contend that nothing in *Jamroga*, *Imai*, and *Payne*, individually or in any combination, disclose or suggest a feature whereby a database manager correlates specimen report content, and particularly image data content, with the specimen handling capabilities of specimen handling facilities and to use this correlation to determine which facilities will receive the report (see specification page 6, lines 22-32).

Claims 46 and 47 have been added herein and include further limitations to the foregoing correlation determination and specimen handling facility selection steps. Namely, claim 46 (and similarly for claim 47) recites that “... said determining a correlation is performed using a rule-based algorithm, an inference engine, or a neural network.” This feature is particularly significant for performing a correlation determination between specimen handling capabilities of facilities and image (i.e. not text) data. Ample support for the amendments to independent claims and for newly added claims 46-47 is provided in Applicants' specification on page 6, lines 22-32, page 10, line 31 *et seq.*, and page 12, line 34 *et seq.*

Since nothing in the combination of cited prior art references appears to teach or suggest the foregoing newly added limitations in amended claims 17 and 30, it follows that the grounds for rejecting claims 17, 30 and all the pending claims depending therefrom have been overcome. Applicants respectfully submit the claims are in condition for allowance and request a notice to that effect.

Applicants invite the Examiner to contact the undersigned attorney of record at (512) 343-6116 if such would further or expedite the prosecution of the present Application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Baca', written over a horizontal line.

Matthew W. Baca

Reg. No. 42,277

DILLON & YUDELL LLP

8911 North Capital of Texas Highway, Ste. 2110

Austin, Texas 78759

Telephone (512) 343-6116

Facsimile (512) 343-6446

ATTORNEY FOR APPLICANTS